

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:09cv293

LAWRENCE ALEXANDER JR., ELLIS )  
ALLEN, MITCHELL ALSTON, FRANCES R. )  
BANKS, AHMED BLAKE, MICHAEL O. )  
BRODIE, KEVIN E. CHANDLER, CHARLES )  
E. CHERRY, ERNEST CUTHBERTSON, )  
DARRIN DAVIS, STEVEN A. EVANS, )  
WILLIAM GRAVES, MILFORD J. HARRIS )  
II, JONATHAN HEARD, ANTUAN HINSON, )  
STEPHEN L. HUNTER, BRIAN JAMES, )  
DEMETRIUS W. JOHNSON, JOHN O. )  
LEGRANDE, GEORGE M. LITTLE, )  
DARRELL McDONALD, C.L. MELVIN, )  
STACY A. MORTON JR., WILLIE PARKER, )  
LARRY PATTERSON JR., WILLIAM A. )  
PHIFER, JOSEPH PRYOR, NORMAN )  
RANKIN, WAYNE REDFERN, ALEXANDER )  
RICKETTS, RONALD ROGERS, STEVEN )  
SNIPES, CALVIN STEVENS JR., ERIC )  
STEVENSON, JERMEIER JACKSON- )  
STROUD, JULIUS TUNSTALL, ALLEN )  
WALLACE, FRANK YOUNG and MICHAEL )  
WAYLAND WALL, )

Plaintiffs, )

v. )

THE CITY OF GREENSBORO, DAVID )  
WRAY, Former Police Chief of the City of )  
Greensboro, in his individual and official )  
capacities, RANDALL BRADY, Former Deputy )  
Police Chief of the City of Greensboro, in his )  
individual and official capacities, TRUDY )  
WADE, Member of City Council of the City of )  
Greensboro, in her individual and official )  
capacities, and SCOTT SANDERS, in his )  
individual and official capacities, )

Defendants. )

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441, et seq., Defendant City of Greensboro, by and through counsel, files this Notice of Removal of the above-styled action from the North Carolina General Court of Justice, Superior Court Division for Guilford County, in which this action is now pending, to the United States District Court for the Middle District of North Carolina, on the following grounds:

1. The Summons and Complaint in this action were filed on 9 January 2009 with the Clerk of Court for Guilford County and assigned Docket No. 09 CVS 2670, entitled Lawrence Alexander, Jr., et al. v. City of Greensboro, et al. (the “State Court Action”). The original Complaint was not served on any of the Defendants. An Amended Complaint was filed on 17 March 2009. On 20 March 2009, service of the Summons and Amended Complaint was made on the City of Greensboro by certified mail.

2. Pursuant to 28 U.S.C. § 1446(a), copies of all process and pleadings served on the City of Greensboro in the State Court Action are attached hereto as Exhibit A (Civil Summons/Amended Complaint). Attached as Exhibit B are additional documents in the state court file. Together, Exhibit A and Exhibit B contain all documents in the State Court file of which the City is aware.

3. According to the Complaint, Plaintiffs are or were citizens and residents of Guilford County, North Carolina.

4. The City of Greensboro is a municipal corporation organized and existing under the laws of North Carolina with its principal place of business in Greensboro, North Carolina.

5. In the Amended Complaint, Plaintiffs allege a cause of action for discrimination on the basis of race in violation of 42 U.S.C. § 1981. Plaintiff also alleges various state law causes of action.

6. This is a civil action over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1331 because it involves a federal question. This action is removable to this Court pursuant to the provisions of 28 U.S.C. § 1441(a).

7. This Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1367(a).

8. The General Court of Justice, Superior Court Division for Guilford County, State of North Carolina lies within the division of the United States District Court for the Middle District of North Carolina, wherein this Notice of Removal is filed.

9. This Notice of Removal is filed within thirty (30) days after the City of Greensboro was served with the initial pleading setting forth the claim for relief upon which this action is based.

10. Defendants David Wray, Randall Brady, Trudy Wade, and Scott Sanders, in their official and individual capacities, consent to removal of this civil action.

11. Copies of this Notice of Removal are today being served upon Plaintiffs and delivered to the Guilford County Clerk of Court for filing.

This 17th day of April, 2009.

/s/ Alan W. Duncan  
N.C. State Bar No. 8736  
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/s/ Allison O. Van Laningham  
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CERTIFICATE OF SERVICE

This is to certify that the foregoing Notice of Removal has been duly served by depositing a copy thereof in the United States mail, first-class, postage prepaid, to the following:

Jason A. Knight  
Kenneth A. Free, Jr.  
Knight & Free, PLLC  
232 West Market Street  
Greensboro, NC 27401

John F. Bloss  
Robertson, Medlin & Blocker, PLLC  
127 North Greene Street, Third Floor  
Greensboro, NC 27401

Kenneth R. Keller  
Carruthers & Roth, P.A.  
P.O. Box 540  
Greensboro, NC 27402

This 17th day of April, 2009.

/s/ Allison O. Van Laningham  
N.C. State Bar No. 23430  
Attorney for Defendant City of Greensboro  
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